PATENT PC9674BJTJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William J. Curatolo, et al.

SERIAL NO.: 09/770,562 : Examiner: B. Fubara
: Art Unit: 1615

FILED: January 26, 2001 :

FOR: Solid Pharmaceutical Dispersions With Enhanced Bioavailability

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this 16th day of December 2002

By

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	Rate	(6) Additional Fee
Total Claims	81*	minus	38**	= 43	X $18.00	774.00
Independent Claims	8*	minus	5***	= 3	X $84.00	249.00
☐ Multiple Dependent Claim(s) fee					$280.00	

* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.
** If the "Highest No. Previously Paid for" is less than 20, write "20" in this space.
*** If the "Highest No. Previously Paid for" is less than 3, write "3" in this space.

☐ A Petition for Extension of Time for responding within one (1) month(s) of the response date is also enclosed. Authorization to charge the fee transfer is made separately therein.

☐ No additional fee is required.

☒ Please charge Deposit Account No. 16-1445 in the amount of $1,023.00. Two copies of this paper are enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 16-1445. Two copies of this paper are enclosed.

Respectfully submitted,

Date: DEC. 16, 2002

James T. Jones
Attorney for Applicant(s)
Reg. No. 30,561

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Patent Department, MS 8260-1611
Eastern Point Road
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C

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Response Under Rule 111

Sir:

This is in response to the FINAL Office Action dated June 18, 2002, the term for response having been extended three (3) months by including the appropriate fee and petition herewith.

In response to the Office Action, entry of the following changes in the application is respectfully requested:

In the claims:

1. (Twice Amended) A composition comprising a spray dried solid dispersion, which dispersion comprises a sparingly water-soluble drug having a dose to aqueous solubility ratio greater than 100 mL and hydroxypropylmethylcellulose acetate succinate (HPMCAS), said dispersion providing a maximum concentration of said drug in a use environment that is higher by a factor of at least 1.5 relative to a control composition comprising an equivalent quantity of undispersed drug.

Cancel claim 2.

Cancel claim 3.

8. (Twice Amended) A composition of matter comprising a spray-dried solid dispersion, which dispersion comprises a sparingly water-soluble drug having a dose to aqueous solubility ratio greater than 100 mL and HPMCAS, said dispersion exhibiting a maximum supersaturated concentration in MFD solution which is higher by a factor of at least 1.5 relative to the equilibrium concentration exhibited by a control composition comprising an equivalent quantity of undispersed drug.